

Law Vol. 8.
K

Sir *John Gonson's*
Three CHARGES
TO SEVERAL
GRAND JURIES.

V I Z.

- I. To the GRAND JURY of the City and Liberty of *Westminster*, &c. at the General Quarter-Sessions of the Peace, held the Twenty fourth Day of *April*, 1728.
- II. To the GRAND JURY of the said City and Liberty, at the General Quarter-Sessions of the Peace, held the eleventh Day of *July*, 1728.
- III. To the GRAND JURY of the *Royalty* of the *Tower* of *London*, and the Liberties and Precincts thereof, at the General Quarter-Sessions of the Peace, held for the said *Royalty*, the sixteenth Day of *July*, 1728.

L O N D O N :

Printed by CHARLES ACKERS, in *Great-Swan-Alley*,
St. John's-Street. MDCCXXVIII.



THE
CHARGE

OF

Sir *John Gonson* Knt.

TO THE

GRAND JURY

OF THE

CITY and LIBERTY of
WESTMINSTER, &c.

At the General Quarter-Sessions of the
Peace, held the Twenty fourth Day
of *April*, 1728, in *Westminster-Hall*.

*Printed at the Desire of the Justices of the Peace
for the said City and Liberty, and of the
Grand Jury.*

L O N D O N :

Printed by CHARLES ACKERS, in *Great-Swan-Alley*,
St. John's-Street. MDCCXXVIII.

*Civitas, Burgus, & Villa Westm. in Com. Middx. } ff. Ad Generalem Quarterialem Sessionem Pacis Domini Regis tent' a-
 pud Westm. pro Libertat' Decani
 & Capituli Ecclesie Collegiat. beati
 Petri Westm. Civit', Burgi, & Villæ
 Westm. in Comitatu. Middx. &
 Sancti Martini le Grand, London'
 Die Mercur. scilicet vicesimo quar-
 to Die Aprilis, Anno Regni Do-
 mini Georgii Secundi, Dei Gratia,
 nunc Regis Magnæ Britanniae, &c.
 primo.*

HIS Majesty's Justices of the Peace for this City and Liberty of *Westminster*, now assembled at this General Quarter-Session of the Peace, held for the said City and Liberty, being of the Opinion, that the Charge this Day given by Sir *John Gonson* the Chairman, (in the Absence of the Right Honourable *John Lord Delawar* the present Chairman of this Session) to the Grand Jury, sworn to enquire for our Sovereign Lord the King, for the Body of this City and Liberty; and to the High and Petty Constables of the same, is a very Loyal, Learned, Ingenious, Excellent, and Useful Charge, highly tending to the Service of His Majesty, and his Administration and Government: Have unanimously agreed and resolved, that the Thanks of this Court be, and the same are hereby given, to the said Sir *John Gonson* for his said Charge; And desire, that he will be pleased to cause the same to be Printed and Published, for the better Information of the Inhabitants and publick Officers of this City and Liberty, in the Performance of their respective Duties.

Per Curiam

MIDDLETON.



To the WORSHIPFUL

Sir *John Gonson* Kn^t.

CHAIRMAN of the Quarter-Sessions, &c. held for the City and Liberty of *Westminster*, the Twenty fourth Day of *April*, 1728.

WE the Grand Jury, sworn to enquire for the Body of the City and Liberty of *Westminster*, having received a most Learned and Excellent Charge from the Chair given by your Worship, Do hereby return you our most sincere and humble Thanks for the same ; and pray, that you

A 2

will

*will be pleased, for the publick
Good, to cause the same to be
Printed.*

William Atkinson.

John Jones.

John Ismonger.

E. Salisbury.

William House.

Gray Sambach.

John Henshaw.

Stephen Sauge'.

John Clayton.

Thomas Turnor.

John Fergusson.

Richard Mitchell.

Philip Gardiner.

Jonathan Healey.

William Taylor.

Hem. Lockton.

John Leech.

Th. Cleaver.

John Andrews.

Jos. Morris.

Nathanael Lee.



T H E



T H E
C H A R G E
O F

Sir John Gonson Knt.

Gentlemen of the Grand Jury,



CIVIL Government wa^s
instituted for the Preser-
vation and Advancement
of Men's Civil Interests,
and for the better Security
of their Lives, Liberties,
and Properties.

MEN soon became sensible of the
Necessity of Civil Government for
these

these Ends, from the Inconveniencies they suffer'd by a private Life, independent on each other: For in such a State, unless every Man would keep strictly to the Rules of Justice and Equity, which the Pravity of human Nature, and long Experience forbid us ever to hope for, the Weak would become a Prey to the Strong; every one would be at the Mercy of him, that was mightier than himself, and the World would be full of Fraud and Injustice, Cruelty and Oppression.

No sooner did Mankind begin to multiply, and to contract new Relations and new Duties, but their Interests interfered with one another, and gave rise to those Wrongs and Injuries, which daily increas'd in the World, and quickly moved Men to enter into Societies, and form themselves into regular Governments, for the mutual Security and Defence of their Persons and Properties, both against Violence from Abroad, and Rapine and Fraud at Home.

FOR

FOR these Ends and Purposes Societies were at first erected, and grounded upon the mutual Compact and Agreement of those, who enter'd into them, to stand by, and assist each other, both against Foreign Violence, and Domestick Wrongs. To repel the first of these, there must be external Force and Strength, which consist in Arms, Riches, and Multitude of Hands; the Remedy of the other lies in wise and wholesom Laws, agreed upon by the Society; and the Care of both is, by common Consent, committed to the Civil Magistrate, who is moreover arm'd with the Force and Strength of all his Subjects, in order to put those Laws in Execution.

FROM this brief Account of the Nature and Design of Civil Government, it is obvious, That if ever the true Ends of Government are answered, it is under our most happy Constitution, which is a Mixt Limited Monarchy, where the Prerogatives of the Crown, and the Liberties of the People, are so
inter-

interwoven, that the Rights reserved to the People tend to render the King honourable and great; and the Prerogatives of the Crown are in order to the Protection and Safety of the People. Every Subject of *Great-Britain* has a fix'd fundamental Right born with him, as to the Freedom of his Person, and Property in his Estate, which he can't be deprived of, but either by his own Consent, or for some Crime, for which the Law has imposed such a Penalty or Forfeiture. Our Liberties and Privileges are so great, that the Subjects in other Nations would think themselves Princes, if they might enjoy them; and are such, as the greatest Princes in Foreign Parts, who are not absolute and independent Sovereigns, can scarcely pretend to be Possessors of. In a Word, We enjoy Privileges unknown to the ancient *Greeks* or *Romans*, and are the Noblest, I may say almost, the only Remains of the *Ancient Northern Liberty*.

AND

AND next to that of having a Share in the Legislature, it is one of the most valuable Parts of our Constitution, that no Man can be convicted, or attainted of any Crime, before two Juries pass upon him, of at least Twenty four Persons ; the one a Grand Jury, to present the Offence for Tryal; and the other a Petit Jury, to try the Truth of that Presentment. The Grand Jury coming from all Parts of the County, City, or Liberty, for which they serve, and the other, *viz.* the Petit Jury, from the very Neighbourhood where the Offence was committed; who, according to the Evidence given them, determine thereupon, and bring in their Verdict. And that the Evidence may be the clearer, and the better to be depended upon, written Depositions are not admitted, but upon mere Necessity: The Witnesses being to appear personally, and to be examined *Vivâ Voce*; a Method of Coming at the Truth, peculiar to this Nation, no other

other having, or practising the like. For look abroad into Foreign Countries, almost where you will, you'll find the Subjects under such Laws, as render their Lives, Liberties, and Estates precarious, and liable to be dispos'd of at the Discretion of Strangers appointed to be their Judges, generally mercenary, and Creatures of the Prerogative; sometimes Malicious and Oppressive, and too often Partial and Corrupt; or suppose them ever so Just and Upright, yet still has the Subject no Security against Subornations, and the Attacks of false and malicious Witnesses: And often, when there is no sufficient Evidence, upon Suspicion only, they are obnoxious to the Tortures of the Rack, which may make an innocent Man confess himself guilty, merely to get out of present Pain; and then, with seeming Justice, he is executed. Or if he doth with invincible Courage endure the Question (as they call those Torments) yet he comes off with dis-

disjointed Bones, and such Weakness, as renders his Life a Burthen to him ever after.

DESERVEDLY therefore is this Tryal by Juries a Part of the Great Charter, and ever rank'd amongst the choicest of our Fundamental Laws, which who-soever shall go about to suppress, or craftily undermine, by Overawing or Corrupting Juries, and thereby Rendering them only a Formality, breaks asunder the Fences of our Government, and is an Enemy to his King and Country; for which Reason, our Parliaments have always been most zealous for preserving this Great Jewel of *Liberty*, no one Privilege besides having been so often remembred there. One Instance thereof (amongst many others) was the Case of the Lord Chief Justice KEYLING, who usurping an Arbitrary Power over a Grand Jury of *Somersetshire*, by Commanding them to find a Bill of Indictment for Murder, for which they saw no Evidence; and upon their Refusal, he threatned and fined

them: But upon the Complaint of Sir HUGH WINDHAM, their Foreman, to the Parliament (tho' a Parliament in the Reign of King CHARLES the Second, and much attached to the Court) yet even they could not bear such a bold Invasion of *English*

*Journals of
the House of
Commons,*

11 & 13
of Decemb.
1667.

Liberty; The Commons brought that Chief Justice to their Bar, and there made him acknowledge his Faults.

WHEN the one and the other Jury act as they ought, with Courage, Diligence, and Impartiality, we shall have just Reason, with the wise Lord Chancellor FORTESCUE, to celebrate that Law that instituted them; to congratulate with our Countrymen the Happiness we enjoy, since the meanest amongst us is protected by the Laws of his Country in as secure a Manner as the greatest.

Fort. de
Laud. Leg.
Ang. Cap.
26.

AND what compleats our Happiness is, that we may now take the most delightful View of our Excellent Constitution

stitution and Laws; not as in former Reigns, struggling with Arbitrary Power and Tyranny, but as most safe and secure, under the best of Princes, his *Sacred Majesty*, our most Gracious Sovereign; whose Nature, Inclination, and Religion, all conspire to make him truly the Father of his People, delighting in their Happiness as in his own, and who makes the Laws of the Land the Rule of his Government. With such a King we are blest in a Queen, the Delight of the Nation, and the Glory of her Sex; whose known Piety is made still more exemplary by being joined with a fine Understanding, cultivated by the Study of the *Belles Lettres*, and improved with all useful Knowledge: We have also a numerous Royal Issue, to be form'd for the Support of our Religion and Liberties by these bright Examples; so that all the inestimable Blessings, which we enjoy under his Majesty's Reign, are likely to be entail'd down to future Ages, under a lasting Succession of
Pro-

Protestant Princes. And may there never want one of this Royal Progeny to Rule over these Nations, 'till Time shall be no more.

GENTLEMEN,

IT is for the Preservation and Support of this our excellent Government, by the due Execution of the Laws, that we are now met together: And tho' the Court doth not doubt of your Ability to perform your Duty as *Grand Jury Men*; yet being sworn (amongst other Things) to enquire of such Matters, as shall be given you in Charge, it has always been the Custom, and therefore now proper to inform you, what Crimes and Offences you ought to enquire of, which otherwise perhaps might not occur to your Memory.

IN the first Place, I shall recommend to your Enquiry all such Offences, that concern Almighty GOD, and
his

his Holy Religion established amongst us.

It is for the Honour and Interest of every Government, that all Vice, Immorality and Profaneness should be suppress'd, because they are prejudicial to it; and the contrary Virtues tend to the Good and Welfare of Society. All Manner of Wickedness, even in those Instances, where it doth not directly injure any private Person, nor disturb the publick Peace, has an ill Influence upon Society, tends to make Men bad Subjects, and worse Neighbours, and indisposes them for the due Discharge of the Relative Duties of Life. And it has been observed, that a Contempt of GOD, and a Neglect of Religious Duties, is generally the Inlet to, and Forerunner of almost all Manner of Wickedness.

I exhort you therefore to present all, that shall Blaspheme, Vilify, and Ridicule the Name, Nature, and Attributes of GOD, and all other Offences
against

9 & 10 W. III.
C. 32.

against the Act of the Ninth
Year of King WILLIAM
the Third, *For the more effectual Suppress-
sing of Blasphemy and Profaneness.*

YOU are also to take Notice of all other Offences mentioned in his Majesty's Royal Proclamation just now read to you: Particularly all profane Swearing and Cursing, Drunkenness, and Breach of the *Sabbath*.

THE horrid Oaths and Curses, that abound in our Streets, are very shocking to Religious Foreigners, who come here; no such publick Profanation of GOD's holy Name being known abroad, even in Popish Countries. Besides, the Offending GOD, the Injuring our Souls, and Affronting sincere Christians (in an Age, which pretends to good Breeding) by Treating that GOD with Indignity, whom they worship and adore, are Things of such a Nature, which are worthy of our Notice. The common Practice of pro-
fane

fane Curfing and Swearing is exceedingly injurious to civil Society ; for whilst Oaths are reckoned the greatest Securities of Government, if they are once render'd flight and common, it will by Degrees lessen Men's Awe and Regard for them on more solemn and necessary Occasions ; and when all Regard for the Obligation of Oaths are lost, there is an End of our Courts of Justice. We have no other Way to judge of Right or Wrong, Truth or Falshood, nor any Security left for our Lives and Properties, when the Reverence for this solemn Appeal to the All-seeing GOD is once extinguish'd in our Minds. So that upon Civil, as well as Religious Considerations, you ought to set your Faces against this Sin, and present all Constables, negligent or remiss in this Part of their Duty, in Taking up and Giving Information against common Swearers.

DRUNKENNESS is not only a Transgression of the Laws of GOD, and the

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Law

Law of the Land, but a Violation of the Law of our Nature: It deprives Men of their Reason, and levels them with the Beasts. Presentment and Indictment in Sessions is one Method appointed by the Statute of the Fourth of King JAMES the First, for the Punishment of Drunkenness.

4 Jac. I.
C. 5.

IT has been the Honour of our Government, ~~that~~ the Observation of the LORD's Day has been more strictly enjoyn'd by our Laws, than in any other Nation whatsoever; and it is Pity, that such excellent Laws have not been better executed.

THE Statute of the Twentieth of King CHARLES the Second, for the better Observation of the LORD's Day, requires all Persons to exercise themselves thereon in the Duties of Piety and true Religion, publicly and privately, and prohibits all bodily Labour, and worldly Business. And since this Law forbids Carriers and Waggoners to travel upon their honest and

29 Car. II.
C. 7.

and necessary Business on this Day, it surely cannot be supposed to allow any in the Profanation of it by Races, which some Persons have presumed to appoint to be run on Sundays. But his Majesty has thought fit to discourage such Practices, and commanded the Justices of the Peace of this City and Liberty, strictly to put in Execution all the Laws

against the Profanation of
the LORD's Day, and to
the utmost of their Power

¹ Car. I.
C. 1.

³ Car. I.
C. 2.

to discourage and punish any Breach of the Laws in this Behalf. His Majesty's Pleasure herein having lately been signified by a Letter from the Right Honourable the Lord Viscount TOWNSHEND, one of his Principal Secretaries of State, his Lordship's Letter shall be presently read in Court.

SINCE therefore his Majesty's pious Care for the Good of his People is so great, 'tis hop'd that so illustrious an Example will inspire you with a Zeal

¹ *Eliz. C. 2.*

²³ *Eliz. C. 1.*

³ *Jac. I. C. 4.*

¹ *W. & M.*

Seff. 1.

C. 18.

to do your Duty, by Presenting all that shall make Default in coming to Church, or some Religious Meeting, tolerated and allowed by Law, every Sunday: And all that shall spend their Time on that Day in any Sports or Games whatsoever, especially Gaming Assemblies.

THE devout Observation of the LORD's Day has hitherto, and ever will be the most probable Means of Preserving a Sense of, and Keeping up a visible Face of Religion in the World; which (should these Races and other Diversions on this Day prevail) would soon be lost among us.

ENQUIRE of all Perjury in ⁵ *Eliz. C. 9.* Oaths judicially taken; all Subornation of Perjury and Forgery: And also of all Books and Pamphlets wrote against Religion, or the Sacred Scriptures; or that are *contra bonos Mores*.

THERE are such Books published, daily sold in Shops, and advertised in
the

the Publick News-Papers, that ought rather to pass the Fire than the Press; and are a Scandal to any Christian Country. If you can't find out these detestable Authors, present the Printers and Publishers.

ALL these in their Nature seem to be more immediate Offences against the Divine Majesty.

AFTER the Duty, that we owe to Almighty GOD, with which nothing ought to come in Competition, the next Duty, that we owe is to our King and Country; and for the Preservation of these, I must recommend to you to enquire into all Treasons.

IT is High Treason, To ^{25 Ed. III.}
C. 2.
compass or imagine the Death of the King, or Queen, or the Death of their Eldest Son and Heir, and to declare the same by some Overt-Act.

IT is also High Treason, to levy War against the King; adhere to his Enemies; or to give them Aid or Comfort, in the Realm or elsewhere.

To

To Counterfeit his Great or Privy Seal ; to Counterfeit his Coin, or Bring false into the Realm ; to Kill the Lord Chancellor, Lord Treasurer, Justices in Eyre, of Assize, and Justices of *Oyer* and *Terminer*, being in their Places doing their Offices.

THERE are some other Species of High Treason, which because you'll have no Occasion to enquire into, I need not trouble you with the Particulars. I shall only put you in Mind of that
 6 *Anna* C. 7. Excellent Statute of the Sixth of the late Queen ANNE, whereby it is made High Treason to maintain by Writing, or Printing, that the Kings and Queens of this Realm, by the Authority of Parliament, are not able to make Laws of sufficient Force to bind and limit the Descent of the Crown ; or that the Pretender hath Right to the Crown ; or that any other Person hath Right to the same, otherwise than according to the Acts of Settlement. And if the Offender maintains the same by Words only, it is a Premunire.

AND

AND here, GENTLEMEN, I would observe to you, that by a former Act of Parliament, made in the thirteenth Year of the Reign of Queen ELIZABETH, to assert and maintain, that the Queen and Parliament could not bind or limit the Descent of the Crown, was made High Treason during that Queen's Life. By this Law it appears, that the Patriarchal Scheme, and the Doctrines of indefeisible, unalineable Hereditary Right are of mere modern Invention, and were neither known nor believed by our Parliaments or Clergy in the Glorious Reign of Queen ELIZABETH. So that you see, the Title of his present Majesty King GEORGE is unquestionable, and most agreeable to our Ancient Constitution and Laws.

YOU are also to enquire of Misprision of Treason; which is barely a Concealing it, without Evidencing a Consent to it, for that is High Treason: By the Statute of the Fourteenth of Queen ELIZABETH, it is

13 *Eliz. C. 1.*
Raft. 27.
 3 *Inft. 6, 10,*
12, 14.
Coke's Inftit.
 4. *Part 36.*

14 *Eliz. C. 7.*

Mis-

Misprision of Treason to Counterfeit any Foreign Coin not current here.

YOU are to present all Treasonable and Seditious Words, and Speeches, reflecting on his Majesty's Sacred Person and Government, for they are indictable at common Law.

THE third and last Sort of Offences, that I shall recommend to your Enquiry, are those that concern your Fellow Subjects. Of these some are Capital, and some are not Capital.

OF the Capital, you are to present Petty Treason, which is an inferior Degree of Treason, and is committed against a Subject, between
25 E. III. C. 2. whom and the Offender the Law presumes there is a special Obedience and Subjection due: It is Petty Treason therefore, for a Servant to Kill his Master, or Mistress, or Master's Wife, or a Wife her Husband, or an Ecclesiastical Man his Prelate.

YOU are to enquire of Burglary, which is a Breaking and Entering into a House by Night, with an Intent to commit

mit some Felony, whether the felonious Intent be executed or not. By the Statute of the Eighteenth of Queen ELIZABETH, Clergy is taken away in all Burglaries. 18 Eliz. C. 7.

YOU are to present all Sorts of Felonies; as Murders, Robbery on the Highway, Picking of Pockets, &c. But these common Thefts are so well known to you, that I shall not suspect your Knowledge and Understanding so much, as to think you stand in need of any Detail of them, or that I should define them to you.

OF Offences not Capital there are very great Numbers: I shall only mention some, that are most recent among us, and therefore like to fall under your Cognizance and Enquiry.

YOU are to present Petty Larceny; all Buyers and Receivers of Stolen Goods, knowing them to be so; all forcible Entries, and Detainers of Lands and Tenements by Force. All Riots, Routs, and unlawful Assemblies. Affrays, Assaults,

5 R. II. C. 7.
8 H. VI. C. 9.
31 Eliz. C.
11.
21 Jac. I.
C. 15.
34 Edw. III.
C. 1.

D

Bat-

17 *Rich. II.*
C. 8.
13 *Hen. IV.*
C. 7.
19 *Hen. VII.*
C. 13.
11 *Hen. VII.*
C. 4.
22 *Car. II.*
C. 8.
33 *Hen. VIII.*
C. 1.

5 & 6 *Edw.*
VI. C. 14.
17 *Edw. III.*
C. 3.
51 *Hen. III.*
Stat. 6. *An.*
Dom. 1266.
1 *Edw. III.*
C. 14.
20 *Edw. III.*
C. 4.
1 *R. II. C. 4.*

Batteries; and in general, all Breaches of the Peace; all that buy or sell by false Weights or Measures; all that deceitfully get into their Hands other Men's Goods by false Tokens, Pretences, or Counterfeit Letters; all Fore-stallers, Regrators, and Ingrossers of Corn and other Victuals; all that shall sell corrupt and unwholesom Victuals; all common Barretors, and Stirrers up of Suits and Quarrels, either in Courts of Justice, or in the Country among the King's Subjects, who otherwise would be in Peace. By Presenting some Barretors, you'll vindicate the Honour of our Laws, by Turning the Edge of them, and the Eyes of your Country upon such Men, who so much abuse the one, and are a Nufance to the other. That great Man, the Lord Chief Justice HALE, us'd to say, that it was of more Service to the Publick,

to

to convict one common Barretor, than ten Highwaymen. Present also all Keepers and Maintainers of common Gaming Houses, which are indictable as Nuisances at common Law, as well as punishable by the Statute of the Thirty third of King HENRY ^{33 Hen. VIII.} C. 7. the Eighth.

PRESENT likewise all Common Gamesters, who draw in and ruin young Gentlemen of Estates, and others.

ENQUIRE of all Bribery and Extortion in any Officers or Ministers of Justice, in Taking Money where none is due, or more than is due, or before it is due; and particularly of the Extortion of Goalers.

^{12 Rich. II.}
C. 2
^{4 Hen. IV.}
C. 5.
^{5 & 6 Edw.}
VI. C. 16.
^{3 Ed. I.} C. 26.

PRESENT all Bawdy-Houses, and Disorderly Houses; under which Denomination you ought to reckon those many Houses and Shops, where such Numbers of the lower Sort of People get drunk with *Geneva*, and other spirituous Liquors; a growing Evil, of more mischievous Consequences to the Publick, than can well be exprest.

AND

AND because our Excellent Laws are often render'd useleſs, through the Remiſneſs and Neglect of the inferior Officers, who are to execute them ;

ENQUIRE, if any Conſtables omit to make Preſentments of any publick and notorious Offences in their reſpective Pariſhes or Wards; if they reſuſe or neglect to execute Warrants delivered to them; if they neglect Watch and Ward; or the Suppreſſing of Vagrants; or if they wilfully neglect or omit any other Part of their Duty.

PRESENT all Tradeſmen,
2 & 3 Edw. VI. C. 15. Workmen, and Artificers,
 that conſpire together not to ſell their Goods at, or to work, but at certain Rates and Prizes; and all ſuch as exerciſe Mechanical Trades, to which they have not been Apprentices ſeven
5 Eliz. C. 4. Years, according to the Act of the Fifth of Queen ELIZABETH.

PRESENT all that ſhall contract with Artificers to go out of the Kingdom, contrary to an act of the
1 Geo. I. Firſt of the late King GEORGE.

YOU

Y o u are to enquire of all Highways, and Bridges out of Repair, and who ought to repair them ; of all Cheats, and of all publick Nufances : And here I hope you will not forget the very bad Condition of the Streets, and Pavements in many Parts of this City and Liberty, which gives great Offence to every Body, and is detrimental to the Health of the People ; and is occasion'd chiefly thro' the Neglects of the Scavengers and Rakers, and partly by the Remifness and Carelefness of the Servants and Agents of feveral Companies of Water-Works, who, when they have broke up the Ground, to put in or mend their Pipes, lay down the Pavements again in thofe Places in a very loose, irregular, and unworkman-like Manner.

T H E S E, G E N T L E M E N, are all Matters very proper for your Enquiry, and the Court doth not doubt of your Care therein ; but there is one Thing more, which I muft at this Time particularly recommend to you, and that is, to
 present

present the Authors, Printers, and Publishers of all Libels.

It is a shame to our Nation, that there should be any Persons belonging to it so little sensible of the Happiness which we enjoy, as to libel and disturb such a King, and such an Administration; yet this Offence is now grown so common, that if a Man goes into a Coffee-House, it is uncertain whether he lays his Hands upon a News-Paper, or a Libel.

I would not have any imagine, that there must be express Words of Scandal, and Persons Names at length, to make a Libeller criminal: If our Laws require this, they are very weak; and it would be strange, that all Mankind must understand a Libeller's Meaning, except the Court and the Jury, who are to try him.

INDIRECT or Oblique Scandal hath in all Times (especially since the Abolition of the Court of Star-Chamber) been prosecuted, and the Offenders convicted and punished in the ordinary Courts of Justice;

16 Car. I.
C. 10.

stice; and if it were otherwise, the subtle or cunning Contrivance, which aggravates the Crime, would prevent the Punishment. And therefore it is, that Ironical Scandal, nay, even Dumb Scandal (Scandal by Pictures or by Signs) as is mentioned in the Case *de Libellis famosis*, in my Lord Coke's 5th Report. COKE's fifth Report, is indictable in this Court. The only Caution necessary in these Cases is, that the Interpretation be not forc'd nor strain'd.

I shall conclude with putting you in Mind of that Part of your Oath, which obliges you to Present all such Matters and Things, as come to your Knowledge touching this present Service, as well as such Offences, that shall be given you in Charge. You are, or ought to be, summoned from the several Quarters of this populous City and Liberty, to the Intent that no Offences in your respective Parishes, or Streets, or probably throughout the whole Liberty, may escape the Knowledge of one or other of you. In Finding only such Bills, that
are

are brought before you by private Prosecutors, you'll do but one Part of your Duty, which a Jury return'd out of one Parish or Street might do as well. But if you'll have a due Regard to your Oaths, you must present all notorious and publick Offences in your respective Neighbourhoods; which, if Grand Juries would every where do, would tend much to reform the vicious Part of Mankind.

GENTLEMEN,

YOUR Office is as Ancient as our Laws, and (as you have heard) the great Bulwark of our Liberties. And it is with Pleasure, that I see this great and important Trust now reposed in Persons of your Credit and Reputation, Knowledge and Experience; who, I doubt not, will perform every Part of your Duty, and acquit your selves like such, as have a strict Regard to Justice, and the Proceedings and Authority of this Court.

F I N I S.



THE
Second CHARGE

O F

Sir *John Gonson* Knt.

T O T H E

GRAND JURY

O F T H E

CITY and LIBERTY
of WESTMINSTER, &c.

At the General Quarter-Sessions of the
Peace, held the eleventh Day of *July*,
1728, at the *Town Court-House* ad-
joining to *Westminster-Hall*.

*Printed at the Desire of the Justices of the Peace
for the said City and Liberty, and of the
Grand Jury.*

L O N D O N :

Printed by CHARLES ACKERS, in *Great-Swan-Alley*,
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 pud Westm. pro Libertat' Decani
 & Capituli Ecclesiæ Collegiat. beati
 Petri Westm. Civit', Burgi, & Villæ
 Westm. in Comitatu. Middx. &
 Sancti Martini le Grand, London'
 die Jovis scilicet undecimo die Julii,
 Anno Regni Domini Georgii Secundi,
 Dei Gratiâ nunc Regis Magnæ
 Britanniæ, &c. secundo.*

FOrasmuch as the Charge this Day given by Sir
John Gonson Knight, Chairman of this Court
 (in the Absence of the Right Honourable *John* Lord
Delawar the present Chairman) to the Grand Jury,
 and Jury of Constables, assembled and sworn at
 this present Sessions of the Peace held for this City
 and Liberty, is a Religious, Loyal, and Elegant
 Charge, tending to promote the Practice of Virtue
 and Religion, and also fully demonstrating the Hap-
 piness of our Constitution and Government, un-
 der the auspicious and glorious Reign of his pre-
 sent Majesty, and his wise Administration: It is
 unanimously Agreed, and Ordered by this Court,
 That the Thanks of this Court be, and the same
 are hereby given to the said Sir *John Gonson* for
 his said Charge; and this Court doth desire, that he
 will be pleased to cause the same to be Printed and
 Published.

Per Curiam

MIDDLETON.



To the WORSHIPFUL

Sir *John Gonson* Kn^t.

CHAIRMAN of the Quarter-Sessions, &c. held for the City and Liberty of *Westminster*, the eleventh Day of *July*, 1728.

WE the Grand Jury, sworn to enquire for the Body of the City and Liberty of *Westminster*, having received a most *Excellent, Learned, and Loyal Charge* from the Chair given by your *Worship*, Do hereby return you our most hearty *Thanks* for the same; and pray, that you will be pleased, for the *Publick Good*, to cause the same

to be Printed, to remain to Posterity, &c.

James Webb.

Edm. Purser.
Tho. Mitchell.
John Richards.
Jof. Pagett.
Charles Steward.
Tho. Farraine.
John Parker.
Tho. Stocken.
John Gouleton.

Tho. Fayram.
Wm. Holmes.
Sam. Mallings.
Peter Wood.
Tho. Baker.
John Chaworth.
Sam. Vale.
Tho. Hamley.



THE



T H E
Second C H A R G E
O F
Sir John Gonson Knt.

Gentlemen of the Grand Jury,



S the principal End of Civil Government and Human Laws is to secure Property, to oblige Men, out of Fear of Penalties, to live honestly and justly, and that each Individual may be defended against Injury and Wrong ; so where the Fundamental Laws and Constitutions of any Government have been wisely adapted to these
Ends,

Ends, such Countries and Kingdoms have encreas'd in Virtue, Power, Wealth, and Happiness.

*Oratio pro
Publico Sex-
tio.*

TULLY, who takes it from ARISTOTLE, tells us, That the ultimate End of Government, and the Mark, that all Rulers ought to aim at, is to acquire Peace with Reputation.

TOWARDS attaining this End, he mentions the several Particulars, which it requires the greatest Application and Vigilance of good Governours to promote and maintain; and the chief Branches, as he enumerates them, are, Religion; the just and legal Powers and Rights of the Legislature; and of the Magistrates subordinate to that; a due Administration of Justice; the Publick Treasure and Credit; and concludes with *Laus Publica*; which indeed is the Result of a good Administration of the several Branches mentioned. For Praise, both at Home and Abroad, will always attend good Management.

IT

It is apparent to any one, that will but reflect upon all these Particulars, That in no Age hath there ever been in this Nation, or any other, a more universally Glorious Administration, than we now enjoy under his Sacred Majesty King G E O R G E the Second.

To begin with Religion. The *Church of England* by Law establish'd is in no Danger, but in a most safe and flourishing Condition; all her Immunities, Rights, and Privileges are secur'd to her by the strongest Laws; and at the same Time the *Protestant Dissenters* are easy and happy under the Act of *Toleration*. And, as his Majesty was pleased to take Notice in his Speech to the last Parliament, " Such mutual
 " Forbearance is diffused
 " throughout the Kingdom,
 " that the *National Church* repines not
 " at the Indulgence given to scrupulous Consciences; and those that
 " receive

*His Majesty's
 Speech to both
 Houses of Par-
 liament, July
 17. 1727.*

“ receive the Benefit of the *Toleration*,
 “ envy not the *Establiſh’d Church* the
 “ Rights and Privileges, which they by
 “ Law enjoy.”

IT was quite otherwise in former Reigns, when Popery and Tyranny had almost prevailed to the Ruin of our Church and State. The Protestants of these Kingdoms, by the Artifices of Papists, and the Tools of Arbitrary Power, were miserably divided and set against each other, that by such Divisions, Popery and Tyranny might more easily be establish’d among us. But such have been the good Effects of the *Act of Toleration*, as to unite his Majesty’s Protestant Subjects in Interest and Affection; many of the Dissenters are become sincere Converts to our Church, and their Prejudices wear off: The Members of our Church, and the Dissenters, notwithstanding their lesser Differences, now generally behave themselves towards each other, as becomes Fellow Subjects and Fellow Christians,

stians, as Children of the same heavenly Father, and Heirs of the same Promises; agreeable to the Advice of our present most pious and excellent Metropolitan, in his admirable * Sermon and Exhortation for Mutual Charity and Union among Protestants, preached before King WILLIAM and Queen MARY, at *Hampton-Court, May 21, 1689.*

THE great Learning, Piety, truly Christian Moderation, extensive Zeal, and Christian Charity of those most Reverend Prelates, who now adorn the Mitre, will, in all human probability, raise the Lustre and Reputation of the Church of *England* to such a Degree, that as the Steadiness of his Majesty's Counsels, and the Wisdom of his Administration justly entitles our Nation at present to hold the first Rank; so shall our Church be look'd upon as the Mother of all the Reform'd Churches

* *Sermons and Discourses on several Occasions, by the Most Reverend Father in GOD, WILLIAM, Lord Arch-Bishop of Canterbury. The Second Edition. 1716. Page 192, 193.*

in *Europe*, and will become a Praise in the whole Earth; our learned Divines, for their excellent Writings and virtuous Lives, being famous Abroad, and highly esteem'd even at *Geneva*.

As to the just Rights and Powers of the Legislature, no Prince ever had a more tender Concern for them than his present Majesty. The true Interest of the Nation is steddily pursued, and the great Fences and Boundaries of our Religion and Liberties inviolably maintained, and all farther Securities, for the Preservation and Advancement of both, are chearfully granted.

PUBLICK Justice is duly and impartially Administer'd. In the chief Court of Equity presides a noble Lord, justly esteem'd by all for his great Learning, Probity, and admirable Temper; and in the other Courts of Justice there are such excellent and learned Judges on the Bench, that have been the Ornaments of the Bar, not the Blemishes of it, as a great Man truly said of Judges in former Reigns,
some

Algernoon
Sidney Esq;

some of whom had wickedly given up the Constitution, by allowing the King a Power to dispense with the Laws; and tho' the Mildness of King WIL- LIAM and Queen MARY's Government was such, that King JAMES the Se- cond's Dispensing Judges and Lawyers suffer'd no other Punishment, yet they are branded by Act 2 W. & M. Seff. 1. C. 10. of Parliament, and their Names left on Record to Posterity, as Betrayers of the Rights and Liberties of the People.

As to the Treasure and publick Cre- dit of the Nation, Was it ever rais'd to such a Height before, as it is now? Or the Purse ever in better Hands? Such a Confidence the People have in the publick Management, and are so well sa- tisfied, that what we pay is punctually apply'd to the Service to which it is ap- propriated, and the whole manag'd with such exquisite Conduct and Frugality, by those honourable Persons who pre- side over the Treasury, that never were Taxes more freely complied with, nor

such large Sums raised so speedily, and at so low an Interest.

AND what crowns all our Happiness is, that we have a King upon the Throne, who is possessed of all the Royal and Human Virtues that can endear a Prince to any People ; and what adds to the Glory of his Majesty's Government, is, that he scorns to be the Head of a Party, and King only of one Part of his People ; but extends the Blessings of his Reign to all his Subjects without Distinction : He has no other Views but to make them all easy and happy, to unite their Hearts and Interests, and render them as well affected to one another, as all ought to be to him. And with such a King, we have a Queen renown'd over all the World for her Virtue and Goodness, and for that sacred Regard to the true Protestant Religion, which will make her History the Delight of good Men in Ages to come. We are also blest with a numerous and hopeful Progeny, sprung from these great Parents, educated by their royal Cares, and form'd by

by their Examples, and who cannot fail of perpetuating to these Nations the Felicity, which we enjoy under their Most Excellent Majesties. In a Word, we have such a Scene of Good at present, as few Nations have ever enjoyed, and such a Prospect of Good to come, as calls the Blessings of future Times into our own, and adds to the Happiness of this Age, a Taste of the Happiness of their Posterity.

GENTLEMEN,

FOR preserving the publick Peace, and restraining the Lusts, unruly Passions, Frauds, and Violences of Men, our Laws have several Ways wisely provided Remedies, and constituted many Courts of Judicature: Amongst which I may reckon one of the Chiefest to be this Court of Quarter-Sessions, which is held four Times in a Year in every County; and also many Cities, Corporations, and Liberties have their Quarter-Sessions, and their Grand and Petty Juries; and these being drawn by our excellent Constituti-
on

on from the several Parts of each County, City, and Liberty, there can be no notorious Breach of the Law, morally speaking, committed within this Kingdom, that can escape their Knowledge. This is a Court so honourable, that it receives its Authority by a special Commission from his Majesty; in which the greatest Subjects in *Great-Britain* think it an additional Dignity and Privilege to have their Names inserted; and several Noblemen of illustrious Extraction, magnificent Titles, and splendid Fortunes, have lately qualified themselves to act as Justices of the Peace for this City and Liberty; whose hereditary Candor and Generosity, inherent in noble Blood, inseparable from the Birth and Education of Peers, renders them eminently qualified for the Administration of publick Justice, and must needs give great Satisfaction to the People to think, that their Causes are, to come before, and their Differences to be determined by such noble Judges, who are neither to be sway'd by Hopes, over-ruled by Fears,
nor

nor misled by any false Prejudice or Passion, but will decide every Cause with the strictest Impartiality, Equity and Honour.

AND as our Office is honourable, so it is likewise very Ancient; for, besides the Reason, which we have to believe that this, or something very like it, was contemporary with the Original of our own, and other of the *Gothic* Governments in *Europe*, our *Chronicles* inform us, that WILLIAM

Hollingshead.
Baker.

the First, commonly call'd the *Conqueror*, about the fourth Year of of his Reign, which is six hundred and sixty Years ago, appointed Justices of the Peace; tho' the first particular Statute, which we meet with concerning them, is in the first Year of the Reign of King EDWARD the

1 Ed. III.
Cap. 16.

Third. How generally useful and serviceable to the Country, this our Authority has been found to be, needs no other Proof, than the considerable Enlargement it hath since that Time received in almost every Reign.

WHEREAS

WHEREAS the High Commission Court, the Star-Chamber, and the Court of Wards and Liveries, and several other Courts having exceeded their Jurisdictions, and being found to deviate from their original Institutions, and instead of giving Ease, Relief, and Security, to become Burthenfome and Oppressive to the Subjects, have been suppressed by Authority of Parliament. But the Wisdom of the Legislature, instead of vacating our Power, hath in many Particulars extended the Limits of it; for they could not but be sensible of the vast Advantages that every Man receives by so frequent, and so regular, so cheap, and so easy an Administration of Justice.

THE Oath, that you have taken to present all such Matters and Things that shall be given you in Charge, seems to imply an Obligation on me, to acquaint you with those Crimes and Offences, that the Commission of the Peace, and divers Statutes appoint to be either enquired of or punished in this Court, at least,

least, with such of them as are most likely to fall under your Cognizance and Enquiry. And these Articles of your Charge, for Method sake, are usually divided into three general Heads.

I. S U C H Offences as concern Almighty G O D, and his holy Religion established amongst us.

II. T H E King. And,

III. O U R Neighbours, or Fellow Subjects.

A s to the First of these. Tho' Religion hath a much higher and nobler End, yet it is so very necessary for the Support of human Societies, that it is impossible, they can subsist without acknowledging some invifible Power, that concerns himself with human Affairs, and will punish the Immoral and Vicious, and reward the Good and Virtuous in another Life. And the Awe and Reverence of this divine Being

C

makes

makes Men more effectually observe those Duties, in which their mutual Happiness consists, than all the Punishments of the Magistrate. If it's reasonable for the Magistrate to punish one, who does any Injury to a single Person, he ought certainly to punish him who injures the whole Society, by openly denying the Being of a GOD, or that he governs the World, or presides over human Affairs; such a one may justly be esteemed an Enemy to the whole Race of Mankind, as subverting that Foundation on which their Preservation and Happiness is chiefly built.

To punish such bold and impious Offenders as these, an Act of Parliament was made in the ninth
9 & 10 W. III.
Cap. 32. Year of the Reign of King
 WILLIAM the Third, where-
 by it is enacted, That if any Person, having been educated in, or at any Time having made Profession of the *Christian* Religion within this Realm, shall by Writing, Printing, Teaching or
 advised

advised Speaking, deny any one of the Persons in the Holy Trinity to be GOD, or shall assert and maintain, that there are more Gods than one, or shall deny the *Christian* Religion to be true, or the holy Scriptures of the *Old* and *New Testament* to be of divine Authority; being lawfully convicted by the Oath of two credible Witnesses, shall for the first Offence be adjudged incapable and disabled in Law to all Intents and Purposes, to have, hold, and enjoy any Office or Employment, Ecclesiastical, Civil, or Military whatsoever; and if at the Time of Conviction he is possess'd of any Office, &c. such Office, Place, or Employment, shall be void: For the second Offence, he shall be disabled to to Sue, Prosecute, Plead, or use any Action, or Information, in any Court of Law or Equity; or to be a Guardian, Executor, or Administrator, or capable of any Legacy, or Deed of Gift; or of any Office Civil or Military, or Benefice Ecclesiastical; and shall suffer three Years Imprisonment without

C 2

Bail,

Bail, from the Time of the Conviction.

THIS Act was not made to punish the Error, but the Impudence of the Offender. And if ever there was Occasion to put it in Execution, it is now, when several wicked Authors, in their pernicious Books, dare to *blaspheme that holy Name, by which we are call'd*, and even in a ludicrous Manner to write against the Deity, the Miracles, and meritorious Sufferings of our Blessed Lord and Saviour.

PRESENT all, that shall speak or do any Thing in contempt of the Holy Sacrament, contrary to the Act of the First of King EDWARD the Sixth; And all that shall disturb any Preacher allowed, in his open Sermon or Collation, or be procuring or abetting thereunto.

1 Ed. VI.
Cap. 1.

1 M. I. Seff.
2. Cap. 3.

1 W. & M.
Cap. 18.

YOU are to take Care, that the Laws against Immorality and Profaneness be strictly put in Execution, in pursuance of the excellent Proclamation just now read

read to you. We neither want good Laws, nor due Encouragement from our Superiors, nor yet good Magistrates; but many of the Constables, and other inferior Officers, are so very negligent and remiss in their Duty of Informing against, and prosecuting common Swearers, Drunkards, Sabbath-Breakers, &c. that often renders our Pains as it were ineffectual, for the Promoting a general Reformation of Manners. Therefore make a strict Enquiry into, and make a due Presentment of the Neglect, or Connivance of all Officers of Justice concern'd in the Execution of the Laws, especially those against Immorality and Profaneness; for since we find by Experience, that they have so little Regard to the Glory of GOD, the Good of their Country, or their Oaths, it is highly conducive to their own Good, and to the better Deemeanour of their Successors, that they should be made publick Examples of, and suffer Fine and Imprisonment, as the Court shall think fit.

THE second general Head relates to the King.

THE greatest Offence against him is High Treason.

BEFORE the Statute of the Twenty fifth of King EDWARD the Third, what was High Treason at the common Law being very uncertain, this Statute was made to reduce the several Species of Treason to a Certainty.

25 Ed. III.
C. 2. By this Act, Compassing or Imagining the Death of the King, or Queen, or their eldest Son and Heir, and Declaring, by an open Act, a Design to depose, imprison, or murder the King, &c. is High Treason; so is levying War against him, or adhering to his Enemies within the Realm or without; and also counterfeiting his Great Seal, Privy Seal, or his Money current within the Realm. The several other Species of High Treason I omit to give you in Charge, because not likely at present to fall under your Cog-

Cognizance and Enquiry. But before I proceed to other Things, I must mention to you one Act of Parliament made for Securing to us, and our latest Posterity, that invaluable Legacy of the *Hannover* Succession, left us by the great King WILLIAM of Glorious and Immortal Memory. And this is a Statute made in the sixth Year of the Reign of the late Queen ANNE, whereby it is made High Treason to maintain, by Writing, or Printing, That her then Majesty was not lawful Queen ; or that the Pretender hath any Right to the Crown ; or that any other Person hath any Right to the same, but by the Acts of Settlement ; or that the King and Parliament cannot limit or bind the Succession of the Crown : And if the Offender maintain the same only by Words, it is Premunire ; but then, Information for the Words must be made before one or more Justices of the Peace, upon the Oaths of two credible Witnesses, within three Days after they are spoken, and the Prosecution must be within three Months after the same.

same. This is necessary to bring the Offender to suffer the Punishment for a Premunire; but the like Words, without these Circumstances or Qualifications, are Indictable as a High Misdemeanour at the common Law, as being against the Duty and Allegiance of every Subject. And here I would remark to you, that Altering or Limiting the Succession of the Crown is not unprecedented; for in the Reign of King HENRY the Eighth, he, with his Parliament, limited, order'd and settled the Succession of the Crown as they pleased; and in the thirteenth Year of Queen

13 *Eli. C. 1.*

Raft. 27.

3 *Inst. 6. 10.*

12. 14.

Coke's Inst. 4.

Part 36.

ELIZABETH, an Act was passed, that made it High Treason for any one during her Life, and a Premunire afterwards, to deny that such Power was invested in the Queen and Parliament.

You are also to enquire of Misprison of Treason, which is a bare Knowledge of Treason without Assent to it.

AFTER

AFTER Treasons, and Misprison of Treason, you are to Enquire of Felonies committed against the King, and which, for Distinction sake, may be call'd publick Felonies. Debasing the current Coin, and unlawfully Diminishing it are made Felony, by the Acts of the Sixth and Seventh; and the Eighth, and Ninth of King WILLIAM the Third. And so is Attempting to kill, assault, or wound any Privy Counsellor in the Execution of his Office, by an Act of the Ninth of the late Queen ANNE.

6 & 7 W. III.
c. 17.
8 & 9 W. III.
Cap. 25.

9 Annæ Cap.
16.

ANY Person going beyond the Seas, to serve any foreign Prince, without taking the Oath of Allegiance before his Departure, is to suffer Death as a Felon, by the Statute of the Third of King JAMES the First.

3 Jac. I.
Cap. 4.

EMBEZZELLING his Majesty's Armour, Ordinance, Shot, Powder, and other Habiliments of War, or Victuals provided for Soldiers, by any Persons
D having

having the Charge or Custody of the same, to the Value of twenty Shillings, tho' at several Times, is made Felony,

31 *Eliz.* Cap.
4.

22 *Car.* II.
Cap. 5.

by an Act of the Thirty first of ELIZABETH. And so is stealing or embezzelling his Majesty's Naval Stores, by an Act of the Twenty second of King CHARLES the Second.

COUNTERFEITING the King's Stamps, or Uttering, Vending or Selling any Velum, Parchment, or Paper with coun-

10 *W.* III.
Cap. 25.

terfeit Marks, knowing them to be so, is Felony by the Statute of the Tenth of King

WILLIAM the Third. And so is privately and fraudulently Using any Stamps, to defraud his Majesty of his

10 *Annæ* Cap.
19. 26.
12 *Annæ* Cap.
9. 19.

Duties, by two Acts of Parliament, one of the Tenth, and the other the Twelfth of Queen ANNE.

Y O U are also to present the Authors, Printers and Publishers of all treasonable and seditious Books, Pamphlets and Ballads reflecting upon his Majesty's

Majesty's sacred Person, or his Administration.

THE third general Head of Offences concerns your Neighbour, or Fellow Subject.

OF these, some are Capital.

1. SUCH as are committed against his Life, as Murder, which is a voluntary Killing of another with Malice prepensed, expressed, or implied; or Manlaughter without Malice, when two quarrel and fight instantly before they grow cool again, and one of them is kill'd; or sometimes Chance medly, as doing a lawful Act without an Intent to hurt, and Death ensues.

2. SUCH as concern his Goods, as Grand Larceny, or a Felonious and Fraudulent Taking or Carrying away, but not from his Person, or out of his House, above the Value of twelve Pence; Petty Larceny, if under that Value. Robbery,

which always supposeth the Taking away of the Money, or Goods, from the Person, or out of his House, he or his Family living in it, to be with Force and Violence ; otherwise being privately and secretly done, it is call'd Larceny from the Person.

PICKING a Pocket, or Cutting a Purse, is a capital Offence, by the Statue of the Eighth of Queen ELIZABETH. So is Horse-stealing, by the Second and Third of King EDWARD the Sixth, and other Statues.

By an Act of the Third and Fourth of King WILLIAM and Queen MARY, if any Person take away, with an Intent to steal, any Goods to the Value of forty Shillings, which they are to use in their Lodgings, it is Felony without Clergy. As it is by the Statute of the Twenty first of King HENRY the Eighth, for a Servant of the Age of Eighteen, and not an Apprentice,

8 *Eliz.* C. 4.
2 & 3 *Ed.* VI.
C. 33.
37 *H.* VIII.
C. 8.
1 *Ed.* VI.
C. 12.

3 & 4 *W. &*
M. C. 9.

21 *Hen.* VIII.
C. 7.

tice, to withdraw himself with the Goods of his Master or Mistress, with an Intent to steal the same ; or without their Assent or Commandment, embezzel their Goods with the same Intent, to the Value of forty Shillings.

By the Statute of the Tenth and Eleventh of King W I L L I A M the Third, Stealing out of any Shop, Ware-house, Coach-house, or Stable, by Night or Day, to the Value of five Shillings, tho' the Shop, &c. be not broke open, or any Person put in Fear, is Felony without Clergy : So is Assisting, Hiring, or Commanding any Person to commit such Offence.

STEALING to the Value of forty Shillings, or more, out of a Dwelling-House, is also Felony without Clergy, by an Act of the Twelfth of Queen ANNE.

COUNTERFEITING Bank Notes, Exchequer Bills, South Sea Bonds, or Lottery Orders, are capital Offences by several Statutes made in

10 & 11 W.
III. C. 23.

12 Anne
C. 7.

8 & 9 W. III.
C. 19.

7 & 8 W. III.
C. 31.

8 & 9 W. III.
C. 23.

3 Anne C. 13.

7 Anne C. 7.

9 Anne C. 7.

the

1 *Geo. I. C. 12.*
9 *Annæ C. 21.*
12 *Annæ C. 2.*

the Reigns of King WILLIAM,
Queen ANNE, and the late
King GEORGE.

COUNTERFEITING or Forging, or
Assisting in the Counterfeiting and Forg-
ing any Letter of Attorney, or other
Authority, to transfer the Shares of any
Proprietor in the Capital Stock of any
Body, or Bodies Politick, or Corporate,
established by an Act of Parliament; or
falsely Personating the true Proprietor of
any such Shares, &c. or Receiving, or En-
deavouring to receive the Money of any
such Proprietor, as if he was the true
Proprietor, by Counterfeiting his Name,
&c. is Felony without Cler-

8 *Geo. I. C.*
22.

gy, by the Statute of the
Eighth of the late King

GEORGE.

3. YOU are to enquire of such Offen-
ces, as concern your Neighbour's Habi-
tation, as Burglary, or Breaking and
Entering the Mansion-House of another
in the Night Time, with an Intent to
commit some Felony; and House Burn-
ing,

ing, which takes in the voluntary and malicious Burning of Outhouses, Stablings, or Barns with Hay, or Corn in them, as well as the Mansion-House strictly so call'd.

THERE are likewise many other Offences enquirable by you, which are made Felony by several Statutes. I shall mention some of them.

AS all Rapes and Ravishments of Women, by the Thirteenth of King EDWARD the First, 13 Ed. I. Cap. 34. and the Sixth of King RICHARD the Second. 6 R. II. C. 6. And also forcibly Marrying Women of Substance in Goods or Lands, against their Wills, and receiving such Offenders, knowing thereof, or abetting the same, is made Felony, by the Third of King HENRY the Seventh, and 3 H. VII. Cap. 2. the Thirty ninth of Queen ELIZABETH. 39 Eliz. C. 9. To lie with any Woman Child under ten Years old, tho' with her Consent, is Fe- 18 Eliz. C. 7. only, by the Eighteenth of Queen ELIZABETH. To cut out the Tongue,

gue, or put out the Eyes of any Person is Felony, by the Fifth of King HENRY the Fourth. And by the Twenty

5 H. IV.
Cap. 5.
22 & 23 Car.
II. Cap. 1.

second and Twenty third of King CHARLES the Second, commonly call'd the *Coventry*

Act, all such as on Purpose, and of Malice forethought, and by Lying in Wait, unlawfully cut out or disable the Tongue, put out an Eye, slit the Nose, cut off a Nose or Lip, or cut off or disable any Limb, with an Intent to Disfigure any Person, it is Felony in him, his Aiders and Abettors.

IF any Owner, Captain, Master, or Mariner, or other Officer belonging to a Ship, shall wilfully cast away, burn, or destroy the Ship, or procure the same to be done, to the Prejudice of any Person, who shall underwrite any Policy of Insurance thereon, or of any Merchant that shall load Goods thereon, it is Felony, by an Act of the Fourth of the late

4 Geo. Cap.
12.

King GEORGE.

A lifted Soldier, departing from his Captain without Leave, is Guilty of Felony by the Eighteenth of King HENRY the Sixth, and the Second of EDWARD the Sixth. And any Soldier raising a Mutiny in the Army, or refusing to obey his superior Officer, or resisting any Officer in the Execution of his Office, or striking, drawing, or offering to draw, or lift up any Weapon against his superior Officer, is also guilty of Felony, by an Act of the tenth Year of the Reign of Queen ANNE.

18 H. VI.
Cap. 19.
2 Ed. VI.
Cap. 2.

10 A. C. 10.

STEALING, or Taking away any Record is Felony by the Statute of the Eighth of King HENRY the Sixth, and is so acknowledging any Bail, Recognizance, Statute, or Statutes, or Deed inrolled in the Name of another, not privy or consenting thereunto, by the Statute of the Twenty first of King JAMES the First; and Forging a Deed, after a former Conviction
E for

8 H. VI.
Cap. 12.

21 Jac. I.
Cap. 26.

for the like Offence, is made Felony
by the Fifth of Queen ELI-
5 Eliz. C. 14. ZABETH.

A Felon's Escaping before Trans-
portation, or Returning from Abroad
before the Time expired, for which he
was ordered to be Transported, is made
a capital Offence, by the
6 Geo. I. C. 23. Sixth of the late King
GEORGE.

IF eight Persons, or more, Assault
or Wound any Officers of the Customs
in the Execution of their Duty, it is
Transportation for seven Years, and if
the Offender return within that Time,
then he is to suffer as a Felon, by an
other Act of the Sixth of the
6 Geo. I. C. 21. late King GEORGE.

MALICIOUSLY Setting on Fire, Burning,
or Causing to be Burnt any Wood,
Underwood, or Coppice, or any Part
thereof, is made Felony, by an Act of
the First of the late King
1 Geo. I. C. 18. GEORGE.

IF twelve Persons, or more, are ri-
otously and tumultuously assembled
together,

together, and by Proclamation made by a Justice of the Peace, Mayor, Bayliff, or other head Officer, they are commanded to disperse themselves, and depart to their Habitation, &c. and if they continue together an Hour after, it is Felony without Clergy, by an Act of the First of the late King

1 Geo. I. C. 5.

GEORGE. As it is by the same Act to demolish and pull down, or begin to demolish and pull down any Church, Chappel, or any Meeting-House for Religious Worship, certified and registered according to the Statute of the First of King

1 W. & M. Sess. 1. C. 18.

WILLIAM and Queen MARY, or any Barn, Stable, or other Outhouse, or knowingly to hinder or hurt any Person beginning to make Proclamation, whereby such Proclamations shall not be made, is also Felony; as it is in the Rioters, to whom it should have been made, if they do not disperse themselves, but continue together an Hour after such Let or Hinderance.

BANKRUPTS, Removing, Concealing or Embezzelling any Money, Effects, &c. to the Value of twenty Pounds, are Guilty of Felony, by an Act of the Fifth of the late King
5 Geo. I. C. 9. GEORGE.

TRANSPORTING live Sheep, or Lambs, out of the King's Dominions, is Felony for the second Offence, by an Act of the Eighth of Queen ELIZABETH. The Punishment for the first Offence is Forfeiture of Goods and Chattells, and Loss of the Offender's left Hand, which is to be cut off in some open Market, and Imprisonment for a Year. Maliciously and Willingly Killing any Horses, Sheep, or other Cattle in the Night time, is Felony, by the Twenty second and Twenty third of King CHARLES the Second. Marrying a second Husband or Wife, the former being alive, is also Felony, by the Act of the First of King
22 & 23 Car. II. C. 7. JAMES the First.
17 Jac. I. C. 11.

By

By the Statutes of the Fourth 4Geo.I. C.11.
6Geo.I. C.23.
and Sixth of the late King

GEORGE, to take Money or Reward, Directly or Indirectly, under Pretence, or upon Account of Helping another to stolen Goods or Chattells, unless such Person apprehends the Felon, who stole the Goods, and brings him to Tryal, and gives Evidence against him, he shall suffer, as if he had Stolen the Goods himself. The late *Jonathan Wild* was Convicted and Executed for this Crime.

PERSONS going arm'd, having their Faces blacked, or otherwise disguised, appearing in any Forest, Chase, Park, Paddock, &c. Hunting, Wounding, Killing, or Stealing any Red or Fallow Deer; or Robbing any Warren, or Place, where Conies or Hares are usually kept; or stealing any Fish out of any River or Pond; or maliciously Killing or Wounding any Cattle; or Cutting down, or otherwise Destroying any Trees planted in any Avenue, or growing in any Garden, Orchard, or Plantation for Ornament,

namement, Shelter or Profit ; or Setting fire to any House, Barn or Outhouse, or Stack of Corn, Straw, Hay or Wood ; or wilfully and maliciously Shooting at any Person in any Dwelling-house ; or knowingly sending a Letter without a Name subscribed thereto, or sign'd with a fictitious Name, demanding Money, Venison, or other valuable Thing ; every Person, offending in any of these Particulars, is guilty of Felony without Clergy, by an Act of the Ninth of the late King

9 Geo. I. C. 22.

GEORGE.

25 H. VIII.
C. 6.
32 H. VIII.
C. 3.
2 & 3 Ed. VI.
C. 29.
Repealed by
1 M. C. 1.
Revived and
made Perpetual by 5 Eliz.
C. 17.

I shall mention but one Crime more, that is a Felony by Statute, and that is, The most Detestable and Unnatural *Sin of Sodomy*: A Crime, that GOD Almighty punished with one of the most signal and remarkable Judgments, that ever he inflicted upon any Nation or People. And may not we expect some extraordinary Punishments from

from Heaven, when the vilest Abomination of the *Heathen* World, and a Sin, not to be named amongst *Christians*, prevails in a Nation, that for so many Years has enjoy'd the Light of the *Gospel* in the Power and Purity of it? It is not only under our own Constitution, but in all civilized Nations, that the Laws have severely punish'd this execrable Crime: I hope therefore you will do your Duty, not only in Finding out and Punishing these abominable Offenders against GOD, the Law, and human Nature; but also by Presenting those Houses, that harbour and entertain them; several Persons for keeping Disorderly Houses of this Kind have lately been Pilloried, Fined and Imprisoned. And I hope, that the rest of these Miscreants will be brought to condign Punishment, that so this horrible Wickedness, that 'till of late rarely appear'd in our Histories or Records, may be intirely suppress'd, and rooted out from amongst us.

2. OF Offences not Capital, you are to present all Riots, Routs, and unlawful Assemblies, Assaults, Batteries, and all other Breaches of the Peace. All common Nufances, Houses of common Lewdness and Gaming, and disorderly Houses. Those Houses and Shops where People frequently get Drunk with Geneva, and other Liquors of that Kind, are Indictable as Disorderly Houses, whether they have or have not Licences.

You are to enquire of all Want of due Repairs of Bridges, Common Highways, Streets, and Pavements ; and of all Kinds of Trespasses and Misdemeanours whatsoever. But for a more particular Account of these Offences of the lower Kind, I refer you to my Charge the last Quarter-Sessions, which the Court was pleased to Order to be printed and publish'd. A Copy of which I have directed to be given to every one of you, for your Use

Use on this present, or any future Service of this Nature.

To Conclude, GENTLEMEN. As you are to enquire of, and present all Offences against the Laws of GOD, and the Laws of the Land, so I hope, that you will acquit your selves with all Honesty, Diligence, and Impartiality; and we shall find by your Presentments, that you have a well grounded Zeal for the Honour and Glory of Almighty GOD, a true Love to your Country, a most sincere and affectionate Loyalty to his Sacred Majesty King GEORGE the Second, upon whom, and his Royal Progeny, next under GOD, our Safety and Happiness depends; and a tender and conscientious Regard to the solemn Oath, which you have taken in the Face of this Court, for the true Performance of your Duty; always Remembering the strict Account, that you must give at the last Day, of all your publick and private Actions, before
F the

the great Tribunal. And now, GENTLEMEN, without Detaining you any longer, I dismiss you to your Enquiries.

FINIS.



Law Vol. 8.

THE
CHARGE
OF
Sir *John Gonson* Kn^t.
TO THE
GRAND JURY
OF THE
Royalty of the Tower of Lon-
don, and *Liberties and Pre-
cincts thereof.*

At the General Quarter-Sessions of the Peace for
the said *Royalty*, &c. held the sixteenth Day
of *July*, 1728. at the *Court-House* on *Great
Tower-Hill.*

*Printed at the Desire of the Justices of the Peace
for the said Royalty, and of the Grand
Jury.*

L O N D O N :

Printed by CHARLES ACKERS, in *Great-Swan-Alley*,
St. John's-Street. MDCCXXVIII.

Turr' & Libertat.
Turr' London.

} ff. *Ad Generalem Quarterialem Sessionem Pacis Domini Regis tent' apud le Court-houfe super Towerhill, magna infra Libertat' Turr' dicti Domini Regis London. Prædict' in & pro Libertat' Prædict' & Præcinct' ejusdem, Die Martis (scilicet) Decimo Sexto Die Julii, Anno Regni Domini Georgii Secundi, nunc Regis Magnæ Britanniae, &c. Secundo.*

WHEREAS Sir *John Gonson* Knight, Chairman at this General Quarter-Sessions of the Peace, held for the *Tower of London* Liberties, and Precincts thereof, having this Day given to the Grand Jury, sworn at this present Sessions of the Peace, held for the said Liberty, a Loyal, Learned and Ingenious Charge, and tending much to the Promoting of Virtue and Religion; it is unanimously Agreed, and Ordered by this Court, That the Thanks of this Court be, and the same are hereby given, to the said Sir *John Gonson* for such his Charge. And further, 'this Court desires, that he would be pleased to cause the same to be Printed.

Per Curiam



BRUNCKER.



To the WORSHIPFUL

Sir *John Gonson* Knt.

CHAIRMAN of the General
Quarter-Sessions of the Peace,
held for his Majesty's Roy-
alty of the *Tower of London*,
the sixteenth Day of *July*,
1728.

WE the Grand Jury, sworn to
enquire for the Body of the
Royalty of the *Tower of Lon-*
don, having this Day received a
most Loyal, Learned, and Inge-
nious Charge by your Worship,
Do hereby return you our most
bearty Thanks for the same; and
A 2 *pray,*

pray, that you will be pleased, to
cause the same to be Printed.

Henry Willoughby.

Henry Dean.

Ralph Arnold.

James Wood.

Peter Gayd.

Tho. Hutchinson.

Tho. Simmons.

Wm. Hookham.

Will. Higgins.

Sam. Knowles.

James Swaine.

John Smith.

Charles Woolmer.

Wm. Harper.

Wm. White.

John Harper.

Richard Brett.



T H E



T H E
C H A R G E
O F

Sir John Gonson Knt.

Gentlemen of the Grand Jury,



T is the peculiar Happiness and Glory of us in *Great-Britain* to be in the strictest Sense a free People, and to live under a Constitution of Government so admirably fram'd, that it secures as great Powers and Privileges to the Crown, as any wise and good Prince can desire, who will own his People as Subjects and not as Slaves ; and at the same Time reserves most valuable

valuable Rights and Liberties to the People. There is that due Balance in Property, Power and Dominion in our Constitution, that, like the ancient Government of *Sparta*, it may be call'd an Empire of Laws, and not of Men. Every Subject of *Great-Britain* has the same Right to what he can acquire by his Labour, and Industry, as the King hath to his Crown ; no Man can be Imprisoned, unless he has transgressed a Law made by the Representatives of his own Choosing, nor be tried but by a Jury of his Neighbours. A greater Inheritance (saith my Lord *Coke*) is derived to us by our Laws, than from our Parents. For without the former what would the latter signify ?

AND as this most happy Constitution hath been maintained at the Expence of Millions of Treasure, and came down to us swimming in the Blood of our Ancestors, who always esteemed it the most valuable Legacy, which they could leave their Posterity ; so GOD Almighty, by a kind and over-ruling Providence, hath
still

still preserved us a free People ; our Government having stood the Shock of Ages from its Original ; particularly of the last, when so many Attempts were made to turn our limited Monarchy into Tyranny. And this inestimable Blessing we ought the more to value, if we look Abroad into the Kingdoms, that lie nearest and are best known to us ; in some of which we shall not find the very Shadow of Liberty left ; and in many there is no more than the Name of it remaining. *Spain, Portugal, Sweden, Denmark and France* were all, an Age or two ago, limited Monarchies, govern'd by Princes well advised by Parliaments or Cortes, and not by the absolute Will of one Man. But now all their valuable Rights and Liberties are swallowed up by the arbitrary Power of their Princes ; whilst we, happy *Britons*, are in many Things the Envy as well as the Wonder of other Nations, and almost the last of the *Northern* Kingdoms of *Europe*, that have preserved this our ancient and well balanced Government. Remarkable is that Account,
which

which we read of concerning *Monsieur Mezeray*, the famous *French* Historian, who towards the Close of the last Cen-

Mr. Hampden.

tury, discoursing with a Person of Quality of our own Nation, about the Difference of Government in *France* and *England*, broke out into these Expressions, " We had once in *France* (says he) the " same Happiness and the same Privileges, which you have ; our Laws " were made by Representatives of our " own Choosing ; our Money was not " taken from us, but by our own Consent ; our Kings were subject to the " Rules of Law and Reason : But now, " alas ! we are miserable, and all is lost. " Think nothing, Sir, too dear to maintain these precious Advantages, and, " if ever there be Occasion, venture " your Life and Estate, and all you " have, rather than submit to the Condition, you see us reduced to".

THUS sensibly did this great Man lament the lost Liberties of his Country.

As

As to the Excellency, Wisdom and Justice of our Laws, the daily Benefits and Advantages, which we all receive from them, give them a Character beyond all the Rhetorick imaginable.

WE of this Age enjoy such a Collection of Blessings, as ought to be viewed with the highest Sentiments of Joy and Thanksgiving to Almighty GOD. A King upon the Throne form'd for the Happiness of all, that live under his Government, who is ever Securing and inviolably Maintaining all the legal Rights and Liberties of his Subjects, and whose only Ambition is to make them all easy and happy. And with such a King we have a most Virtuous, Pious and Excellent Queen, and a numerous Royal Progeny, eminent for all princely Virtues and Endowments, promising Happiness to our latest Posterity at distant Ages.

GENTLEMEN,

OUR most admirable Laws preserve
their Honour, and best exert their Power
B and

and Force, by a due impartial and vigorous Execution, and an equal Distribution of Justice. And our Lives, Liberties, and Properties, in a great Measure, depend upon the due Execution of that great Power, which, by the Wisdom of our Constitution, is intrusted with Grand and Petty Juries. You are therefore summoned here, and sworn to enquire, and present to us all such Crimes and Offences, as fall within the Cognizance of this Court.

ALL Manner of Crimes are presentable by you, from the highest to the lowest Offences, from High Treason to Trespass: But tho' High Treason, Petty Treason, Burglary, and Felonies of all Sorts are enquirable by you and every Grand Jury; yet because Bills of Indictment for these Crimes are seldom or never brought before you at this Quarter-Sessions, but prosecuted at another Place, I shall omit to give you in Charge any capital Offences, and confine myself to those Offences only, that are both Enquirable and Punishable here.

IN

IN the first Place the Honour and Service of Almighty GOD, ought to be our chiefest Care. And we should all endeavour, if possible, to put a Stop to that Deluge of Profaneness, that has so overspread the Nation, and it were happy if our Holy Religion did not suffer as well from its Enemies Diligence to corrupt our Principles, as from the wicked Lives of its Professors.

THEREFORE you are to enquire of all Offences against the Act of the ninth Year of King WILLIAM the Third, for the more effectual Suppressing Blasphemy and Profaneness, and particularly of all Books and Pamphlets wrote against the *Christian* Religion, or the divine Authority of the Holy Scriptures: There are several late Writers, who go under the Names of *Deists*, but are really *Atheists*, without GOD in the World, renouncing his Providence, and even denying the **L O R D** that bought them; pretending

9 & 10 W. III.
C. 32.

2 Peter ii. 1.

indeed an Enquiry after sensible Ideas of the spiritual and supernatural Truths of eternal Life : Whereas, with all their boasted Reason, they are not able to give an Idea of the Breath of natural Life, nor can tell the Composition of the least Pile of Grass; and yet, by rational Demonstration, would determine and judge of Things invisible, which can only be the Objects of Faith in the Word of G O D. Several of these Authors deny the Immortality of the Soul, and the future State of Rewards and Punishments, and would subject Mankind to a Baseness and Wretchedness inferior to the worst of Brutes, and thereby also dissolve the Bond of Security and Peace among all human Societies, and Relations, which can only consist in the Fear of G O D, and the Practice of Religion.

IF you cannot find out the Authors, present the Printers and Publishers of all these Wicked and Blasphemous Books.

You

Y o u have heard his Majesty's Proclamation read to you, for the Encouragement of Piety and Virtue, and for the Preventing and Punishing of Vice, Profaneness, and Immorality, and the Causing it to be thus publicly read, is one Part of the Duty of the Court, but not the whole; for his Majesty therein commands his Judges of Assize at their Assizes, and his Justices of the Peace at their General Quarter-Sessions, to give strict Charges for the effectual Prosecution and Punishment of the Offenders of all Sorts and Kinds mentioned therein: And also of all Persons, that, contrary to their Duty, shall be Remiss and Negligent in Putting these good Laws in Execution. The Offences, expressly mentioned in this most Excellent Proclamation, are, Excessive Drinking, Blasphemy, Profane Swearing and Cursing, Lewdness, Profanation of the LORD's Day; all publick Gaming, and Gaming-Houses, and other lewd and disorderly Practices.

DRUNKEN-

DRUNKENNESS is a Vice, that calls aloud for your Redress upon a double Account; 1. Upon a Religious one, as it is an Offence against Almighty G O D; and, 2. Upon a Political one, because it reduces whole Families to Poverty and Ruin. One of our Statutes fixes this

infamous Character upon the
1 Jac. I. C. 5. Vice of Drunkenness, That it is Odious and Loathsome, the Root and Foundation of Blood-shed, Stabbing, Murder, Swearing, Fornication, Adultery, and such like enormous Sins, to the great Dishonour of Almighty GOD, and of our Nation, the Overthrow of many good Arts and Manual Trades, the Disabling of divers Workmen, and the general Impoverishment of many good Subjects, abusively Wasting the good Creatures of G O D.

IF this was a lively Description of the sad and fatal Consequences of this brutish Immorality at the Passing of this Act, which is above a hundred and twenty Years ago, when the Nation in general was, comparatively speaking, much
more

more Virtuous than it is now; what abundant Reason have we to do our utmost to suppress this Vice, that is at present so recent amongst us, and which, daily Experience shews, often drowns the best Natural Parts, and renders Men wholly unserviceable to the Community?

A common Drunkard is Indictable in Sessions, as well as Punishable in a summary Way, and yet we seldom hear of any Offenders of this Kind presented by Grand Juries, notwithstanding this Offence is so common and notorious.

A common Swearer is a Nuisance to the Place where he lives. I am sorry that it is still too true, what that great and good Man, Arch-Bishop TILLOTSON, says in a Sermon against Swearing, That a Man cannot walk the Streets without having his Ears grated with this hellish Noise. We may justly wonder at the Patience and merciful Forbearance of our Great GOD, in not Punishing these impious Wretches, by an immediate
Stroke

Stroke of his Almighty Vengeance, in not Sinking them quick into that irrecoverable State of Damnation, which they so often and earnestly imprecate upon themselves, for the Confirmation of some trifling Matter, and sometimes of a downright Falshood. And as this is a Sin very Dishonourable to GOD; so it is in this Particular extreamly Dangerous to human Societies: For profane Cursing and Swearing contributes much to the Growth of Perjury. Oaths are little minded when common Use has sullied them, and every Minute's Repetition has made them cheap and common; Who can believe, that a Man, who hourly provokes GOD by rash and vain Swearing, should stick at a false Oath, whenever his Ambition, his Covetousness, or his Revenge prompt him to it, and importunately Demand to be gratified, tho' at so vast a Price? Besides, At how low a Rate do such Men value their Souls, who expose them to the Wrath of GOD, and Eternal Damnation, by a Sin

Sin, from which they cannot reap the least Profit or Pleasure?

IF any Constables are Remiss or Negligent in their Duty, in Taking up and Giving Information against these Offenders, it is your Duty to Present such Constables, that they may be Punished and Fined.

THE Profanation of the LORD's Day is of late very Notorious, and yet pleaded for by some among us as Warrantable. Whatever Disputes there may be about the Morality of the Fourth Commandment, it is generally agreed amongst pious Christians, that this Day ought to be devoutly and religiously observ'd and kept holy; this the *Homilies* of our Church, and our Laws require. The Lord Chief Justice HALE, who was an excellent Christian as well as a great Lawyer, made it his Observation, that the more strictly he kept *Sunday*, the better Success he always had in his worldly Affairs the Week following.

1 Car. I. C. 1.
3 Car. I. C. 2.
29 Car. II.
C. 7.

His Life by
Dr. Burnet
late Bishop
of Sarum.

C

Y o u

1 Eliz. C. 2.
23 Eliz. C. 1.
3 Jac. I. C. 4.
1 W. & M.
Sess. 1. C. 18.

YOU are to present to this Court, all such Persons who do not come to Church, or some Religious Meeting, allowed by Law, every *Sun-*

day.

YOU are to enquire of Perjury, and Subornation of Perjury, which, as I observed before, does, in a great Measure, owe its dreadful Encrease to the impious Custom of profane Cursing and Swearing in common Conversation. These Offences of Perjury, and Subornation of Perjury, are more Heinous, and deserve a severer Punishment, because they are committed with Thought and great Deliberation, and carry along with them a high Affront to the Majesty of GOD, and great Injustice and Injury to Men; the Consequences of them are the Ruin of innocent Persons, who sometimes lose their Lives, and often their Estates, and good Names, by the false Oaths of perjured Wretches.

ALL these in their Nature are more immediate Offences against Almighty
G O D,

GOD, and his Holy Religion established
amongst us.

Y o u are likewise to enquire of such
Offences, as are committed against your
Neighbours, or Fellow Subjects, and
which Injure them in their Persons, their
Properties, or their Reputations.

Y o u are to enquire of Petty Lar-
ceny, which is Stealing any Thing un-
der the Value of twelve Pence.

Y o u are also to present all Assaults,
Batteries, Affrays ; and in general, all
Breaches of the Peace, all forcible En-
tries, and Detainers of Lands and Te-
nements by Force.

A forcible Entry is, where
one or more Persons, with
Weapons not usually born,
have violently entered into
the House or Land of another ; or where
one or more have entered peaceably, the
Door being open, and there have for-
cibly put another out of Possessi-
on.

5 R. II. C. 7.
15 R. II. C. 2.
8 H. VI. C. 9.
31 Eliz. C. 11.
21 J. I. C. 15.

A forcible Detainer is, where one or more have entered peaceably into the House, or Land of another, and then have detained the Possession thereof with Force and Arms.

Y o u are to enquire of all Riots, Routs, and unlawful Assemblies.

A Riot is, where three
34 E. III. C. 1.
 17 R. II. C. 8.
 13 H. IV. C. 7.
 19 H. VII. C. 13. Persons or more are met together to do an unlawful Act, as to beat a Man, lay open his Fence, and the like, and have done the same.

A Rout is, where three Persons or more have met together to do an unlawful Act, and move from the Place where they first met, but afterwards part without doing the Act.

A N unlawful Assembly is, when three Persons or more meet together to do an unlawful Act, and part without doing the same, or Moving forward for that Purpose.

Y o u are to present all
5 & 6 Ed. VI. C. 14. Forestallers, Regrators, and Ingrossers.

grossers. These our Laws esteem great Offenders, who without any real Cause, enhance the Price of Corn, and other Victuals, and thereby occasion Uneasiness, Discontent, and Murmuring, especially among the lower Sort of People.

FORESTALLING is, Buying up Commodities by the Way, before they come to Market.

REGRATING is, Buying Corn or other Victuals, in the Market, and Selling it again in the same Market, or in any other within four Miles.

ENGROSSING is, Buying up great Quantities of Corn, or other Victuals, and Selling the same again.

THESE Offenders, for the first Offence, forfeit the Value of the Goods, and are to suffer two Months Imprisonment: For the second Offence, double the Value of the Goods, and six Months Imprisonment: And for the third Offence they shall forfeit all their Goods, stand in the Pillory, and be Imprisoned during the King's Pleasure.

Y O U

You are to enquire of Barretry, Maintenance, Champerty, and Embrocery: These are also great Crimes, and it is Pity, that they are not oftner prosecuted.

BARRETRY is, Stirring up of
33 E. I. Stat. 2. Suits and Quarrels amongst
 the King's Subjects, which o-
 therwise would be in Peace.

MAINTENANCE is, the Tak-
1 E. III. C. 14. ing in Hand, Bearing up, or
20 E. III. C. 4. Upholding of Quarrels, or
1 R. II. C. 4. Sides, to the Disturbance or Hinderance
 of common Right.

CHAMPERTY is, the Main-
33 E. I. Stat. 2. taining and Carrying on of
3 Ed. I. C. 25. Suits and Causes, at their own
33 E. I. Stat. 3. Costs and Charges, to have Part of the
 Land or Thing in Question, or Part of
 the Gains.

EMBRACERY is, and an Em-
38 E. III. C. bracerer is, one, that, when a
12. Matter is at Trial, comes for
Noy's Reports, a Reward to the Bar, being
Fol. 102. no Lawyer nor Witness, and speaks in Fa-
 vour

vour of one of the Parties, or labours the Jury, or uses any unlawful Practice, to make them give their Verdict as he would have them.

Y o u are to present all Bawdy-houses, Gaming-houses, disorderly Houses, and unlicensed Alehouses. Those Houses and Shops, where People frequently get drunk with *Geneva*, or other spirituous Liquors, are Indictable as disorderly Houses, whether they have or have not Licences.

NOTHING is more Destructive either to the Health or Industry of the poorer Sort of People, on whose Labour and Strength the Support of the Community so much depends, than the immoderate Drinking of *Geneva*. It is common for a starving Sot, intoxicated with this or the like Liquors, to behold his Rags and Nakedness with a stupid Indolence, and either in senseless Laughter, or in low and insipid Jest, to banter all Prudence and Frugality, drowning his pinching Cares, and losing, with his Reason, all

all anxious Reflections on a Wife, or Children, perhaps crying for Bread in a horrid empty Home. In hot Tempers, it lets loose the Tongue to all the Indecencies and Rudeness of the most provoking Language, as well as the most hellish Oaths and Curses, and which is frequently followed by Quarrels and Fightings, and sometimes has been the Cause of Murder. Besides all this, these Houses and Shops are the Receptacles of Thieves and Robbers, and often the Original of them too; for when a Wretch has spent and wasted that, which should support himself, and his Family, it is here, that they Associate and turn House-Breakers, and Street-Robbers, and so, by quick Progressions, at last make an Exit at the Gallows.

OUR Laws have not only taken a great Deal of Care to punish all Breaches of the Peace; but also in several Instances what only tends to a Breach of the Peace, as Challenging another to Fight : Also all Libels against private Per-

Persons are Indictable. For it is as just, that Reputation should be guarded and defended by Law, as that Property should.

THEREFORE Writing a scandalous Letter concerning any one, directed either to the Party himself, or to a third Person, is punishable in this Court; and putting such a Letter into the Post, hath been adjudged a Publication of the Libel.

Y o u are to enquire if the Clerk of the Peace, Coroner, Gentleman Goaler, and all other Officers of this *Royalty*, perform their respective Duties.

WHETHER they, or any other judicial Officers, are guilty of Bribery, by Taking Gifts or Rewards to pervert Justice; or are guilty of Extortion, by Taking Fees, where none are due, or before they are due; or greater Fees than by Law are due to them; and particularly enquire of the Extortion of Goalers and Bailiffs.

D

Y o u

Y o ū are to enquire, whether the Offenders sent to the House of Correction are set to Work as they ought, and receive their due Punishments ; and whether the Governour or Keeper thereof doth his Duty therein. Of which a true Account is to be render'd every Quarter-Sessions.

I F any Constables omit or neglect to make Presentments to this Court of any Annoyances, common Nufances, or notorious Offences in their respective Neighbourhoods ; you ought to present such Constables.

Y o u are also to present all treasonable and seditious Libels against his Majesty and his Ministers of State, or other great Men, or Magistrates ; these are Indictable at common Law.

Y o u are to enquire of all publick Nufances, the Want of due Repairs in common Highways, Streets, and Pavements. But I refer you, for a more distinct

distinct and particular Account of these Offences, to my Charge given to the Grand Jury of the City and Liberty of *Westminster*, at the last *Easter* Quarter-Sessions held there, which that Court was pleased to Order to be Printed and Published ; a Copy of which I have directed to be given to each of you, GENTLEMEN, who are sworn upon this Grand Jury, for your Use on this present, or any future Service of this Kind.

GENTLEMEN,

THE Oath, that you have taken, obliges you to present all such Matters and Things, as come to your Knowledge, touching this present Service, as well as such Offences that shall be given you in Charge ; and by the Statute of the Third of King ^{3H.VII. C.1.}

HENRY the Seventh, if a Grand Jury Conceal any Thing, which they ought to present, the Justices may, within a Year, impanel another Jury to enquire of such Concealment, and upon Conviction, Fine every one of the former Jury at

the Discretion of the Court. So earnestly the Law insists upon your doing your Duty. Therefore you must present all Nufances, Annoyances, Houses of Lewdness, and common Gaming; disorderly *Geneva*-shops, common Gamesters, common Drunkards, and Disturbers of the Peace, and all other Offenders within this *Royalty*, as far as shall come to the Knowledge of any of you; which if you neglect to do, and leave any unpresented for Love, Favour, or Affection, Gain, Reward or Hopes thereof, you'll break your promissory Oath; I mean, that solemn Appeal you lately made to the GOD of Truth, who will not fail to avenge it upon your selves, and your Families; *for he will not hold him guiltless, who takes his Name in vain.* But that you may the better keep your Oaths, and Discharge your Duty with the greater Sincerity and Diligence, let me advise you seriously to think of the General Appearance, which we must all
one

one Day make before the Awful Tribunal of the Great G O D, in Comparison of which, the most Solemn and August Judicature here upon Earth (tho' it may feintly Represent it to our Thoughts) is but a Piece of formal and vain Pageantry.

F I N I S.



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one that makes before the awful throne
 of the Great GOD, in Company
 with the angels, the saints and
 the just, and the redeemed of
 all ages, to praise him for ever
 and ever, Amen.



W. 1. 2.